



Affidavit to Amend a Birth Record



Upon request, this document will be made available in Braille, large print, and audiocassette or computer disk. To obtain a copy in one of these alternate formats, please call or write:

**California Office of Vital Records
M.S. 5103
P.O. Box 997410
Sacramento, CA 95899-7410
Telephone: (916) 445-2684
California Relay: 711/1-800-735-2929
www.dhs.ca.gov (then select "Services")**

Amending a Birth Certificate

What information can be changed with an amendment?

Amendments are used to correct **errors** on the birth certificate. Amendments may not be used to **change** information on the certificate that requires a court order.

Amendments can be used to:

- Correct spelling **errors**.
- Add information to blank items.
- Correct the spelling of the parents' names or their statistical information – please provide a copy of their birth certificate (or other supporting documentation, such as passport or driver's license) to support the change.

Amendments can't be used to:

- Completely change first, middle, or last name of registrant (person listed on the certificate).
- Transpose first and middle name of registrant.
- Add to or delete first, middle, or last name of registrant.
- Translate registrant's name into another language (e.g., Juan to John).

These items can only be changed through a court order. For more information on this process, you can print our informational pamphlet (**Court Order Name Change**) from our website (address on front page of this pamphlet). Or you can call our Customer Service Unit at (916) 445-2684 and they'll mail you a copy.

To change the parents' names on the child's birth certificate, you must go to court for an adjudication (decision). For more information on this process, you can print our informational pamphlet (**Adjudication of Facts of Parentage**) from our website (address on front page of this pamphlet). Or you can call our Customer Service Unit at (916) 445-2684 and they'll mail you a copy.

The following items **can't** be changed or removed on registered certificates:

- Signatures.
- Informant or certifiers.

I want to change or add the father on my child's birth certificate.

Can I do this with an amendment?

No. To change or add the father to your child's birth certificate, you'll have to complete one of the following forms:

- **Acknowledgement of Paternity:** To **add** the father if he wasn't identified on the child's original birth certificate. ***This form must be signed by both parents*** (if either parent refuses to sign the Acknowledgement form, you'll need to go to court using the adjudication process).
- **Adjudication of Facts of Parentage** (This will require you to petition the Superior Court to make the change):
 1. To **change** the father identified on the child's original birth certificate.
 2. To **add** the father by court order if either parent refuses to sign the Acknowledgement of Paternity form.

For more information on these processes, you can print those informational pamphlets from our website (address on front page of this pamphlet) or call our Customer Service Unit at (916) 445-2684 and they'll mail you a copy.

What's the fee to amend a birth certificate?

Within One Year of the Birth:

- There's no fee to amend a record within one year of the date of the birth (***but you don't get a copy of the amended record***).

Exception: Amendments to correct gender errors ***always*** require a \$20 fee.

- If you want a Certified Copy of the amended record, there's a \$14 fee for each copy.

If the Birth Occurred More Than One Year Ago:

- There's a \$20 fee, which includes one Certified Copy of the amended record.
- Additional copies are \$14.

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What's the fee to amend a birth certificate?

(Continued)

Please Note



Fees should be paid by check or money order payable to **Office of Vital Records**. International money orders for out-of-country requests should be payable in U.S. dollars.

If you're not paying a fee to process the amendment (it's within the first year and you're not paying to get a Certified Copy of the amended record), you won't receive any contact from our office – we'll just amend the record and close the file. For these non-fee amendments, we don't send a notification of receipt or a Certified Copy of the amended record, nor will our Customer Service staff be able to give you a status of your request if you should call our office.

Once we complete the amendment (the processing time's listed at the end of this pamphlet), we'll send a copy of the amended record to the local registrar so they can update their records.

What do I submit to amend a birth certificate?

- You'll need to complete an Affidavit to Amend a Record, VS 24(S).
- Although this item ***isn't required***, it would help our staff if you could include a photocopy of the current birth certificate if you have it (this helps us identify the exact record to be amended).
- To correct names listed on the birth certificate that are the result of a ***hospital error***, you ***must*** provide documentation from the hospital to support the correction.
- If parents are changing ***their*** information on their ***child's*** birth certificate, include a copy of ***their*** birth certificates (or other supporting documentation, such as passport or driver's license) to support the change.
- If you're requesting a Certified Copy of the amended record, you ***must*** include a notarized Sworn Statement (see next section for more information).
- Mail the following items to our office using the address on the front of this pamphlet:
 - Completed VS 24(S)
 - Appropriate fee
 - ***Notarized*** Sworn Statement (if copy of amended record is being issued)
 - Hospital documentation (if due to hospital error)
 - Photocopy of parent's birth certificate (if appropriate)
 - Photocopy of current birth certificate (if you have it)
- If any of the required items aren't included, your request will be returned to you for correction.

Why do I need a Sworn Statement?

Effective July 1, 2003, a new law changed the way we issue birth and death certificates. To help protect against identity theft, the law requires that only an **authorized** person (as defined by law) may receive a Certified Copy of a birth or death record. In order to receive the Certified Copy, you must sign (and notarize) the Sworn Statement declaring under penalty of perjury that you're authorized by law to receive the Certified Copy.

Only one notarized Sworn Statement is required for multiple amendments submitted at the same time. But the Sworn Statement must include the name of each person whose record is being amended, and your relationship to that person.

You **do not have to complete** the attached Application for Certified Copy of Birth Record, but please read the first page for the definition of an "authorized" person before completing the Sworn Statement.

Where can I get the VS 24(S)?

Because the amendment document becomes part of the official record, it must be an **original** form (our office uses a special bond paper).

Photocopies are not acceptable. One application form is included if you receive this pamphlet by mail. If you need additional copies of the VS 24(S) form, or are accessing this pamphlet on our website:

- Order forms electronically at www.dhs.ca.gov/hisp/chs/ovr/ovrformsreq.asp. Because of the volume of phone calls we receive, the internet is usually a faster process for our customers than calling our Customer Service Unit.
 - Call our Customer Service Unit at (916) 445-2684.
 - You can also get the form from the County Recorder or County Health Department in any California county.
-

How do I complete the VS 24(S)?

A sample of what a completed form should look like is attached.

PART I:

- Complete the information **exactly** as it appears on the current birth certificate.

Note: If you need a copy of the current birth certificate to complete this section, you can get a copy by completing the Application for Certified Copy of Birth Certificate (attached) and submitting the application (and \$14 fee) to our office. Our average processing time for birth certificates is 6 weeks. But you can get a copy much faster from the County Recorder in the county where the birth took place.

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How do I complete the VS 24(S)?

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Who may sign supporting affidavits?

Are there situations where specific persons must sign the affidavits?

What makes a VS 24(S) form “acceptable”?

PART II:

Item 7: Enter the item number from the current birth certificate that needs to be corrected. List only one item per line.

Item 8A: Enter the *incorrect* information **as it appears** on the current birth certificate.

Item 8B: Enter the *correct* information **as it should appear** on the birth certificate.

Item 9: Briefly state the reason for the correction.

Items 10 and 11 on the VS 24(S):

- Two persons having knowledge of the facts must complete the supporting affidavits. See next section for additional information. The signed affidavits must be included on the bottom of the VS 24(S) – and not as a separate document.
 - ***Two signatures are required.***
-

Yes.

- **When correcting information that was the result of hospital error:** A member of the medical records staff must sign one of the affidavits.
 - **When correcting the date, time, or place of birth, or when correcting medical and health information:** The certifying physician, certified nurse midwife, physician’s assistant, or certified nurse who attended the birth must sign one of the affidavits. (If the physician isn’t available, the affidavit may be signed by the hospital administrator or the administrator’s designated representative of the hospital where the birth occurred.)
-

Important Information

Birth certificates are legal documents that must hold up in any court, unchallenged as to their accuracy and reliability.

Because the amendment you submit becomes an actual part of this legal document, it must adhere to strict guidelines:

- Every item on the amendment must be completed.
- The amendment form must be an original, not a photocopy.

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What makes a VS 24(S) form “acceptable”?

(Continued)

- Because the amendment form becomes part of the official record, every word and letter must be extremely clear and legible. ***Using a typewriter to complete the form ensures that the information is interpreted clearly.***
- If you're not able to type the amendment, it's extremely important that you take the extra time to print ***very clearly and legibly.*** Documents that aren't legible will be returned to you to complete again.
- ***Only black ink is acceptable.***
- ***There can't be any erasures, whiteout, or alterations.***

How will I know if my request has been accepted?

Once your request has been received and evaluated, we'll send you either:

- A postcard letting you know your request has been accepted, and reminding you of our processing time. (You'll only receive this postcard if you have paid a fee, which means you'll be getting a Certified Copy of the amended record).
- If your request is not accepted (e.g., due to insufficient fee, insufficient information, etc.), we'll return your request to you with a letter explaining what needs to be corrected.

Please allow about 6 weeks to receive the acknowledgement postcard. Rejected requests can take up to 10 weeks to be returned.

How long will it take to process the amendment?

Our processing time for birth amendments is approximately 7 months. (The processing time can change based on our workload.)

Once I file the amendment, what happens to the original record?

- The original record remains unchanged, and the amendment becomes page 2 of the birth certificate – making it a two-page document (per Health and Safety Code 102140 and 103255).
- Anyone receiving a copy after the amendment is applied will receive a copy of both documents.

What if I still have questions?

If you've read this pamphlet thoroughly and still have questions that weren't answered in this pamphlet, please call (916) 557-6073 and leave your name, telephone number, and question. One of our Amended Records staff will return your call within 48 hours.

If you have questions on the ***status*** of your request, please call our Customer Service Unit at (916) 445-2684 – ***but only after the processing time has passed.***

APPLICATION FOR CERTIFIED COPY OF BIRTH RECORD**DO NOT Complete This Application Before Reading the Instructions on Page 2**

In an attempt to stop the illegal use of vital records, and as part of statewide efforts to reduce identity theft, a new law (effective July 1, 2003) changed the way certified copies of birth certificates are issued. **Certified Copies** to establish the identity of a registrant can be issued only to authorized individuals, as indicated below. All others will be issued **Certified Informational Copies** that are not valid to establish identity.

Fee: **\$14 per copy** (payable to the Office of Vital Records).

Please indicate the type of certified copy you are requesting:

- | | |
|---|--|
| <input type="checkbox"/> I would like a Certified Copy . This copy will establish the identity of the registrant. (To receive a Certified Copy you MUST INDICATE YOUR RELATIONSHIP TO THE REGISTRANT by selecting from the list below AND COMPLETE THE ATTACHED SWORN STATEMENT declaring that you are eligible to receive the Certified Copy. The Sworn Statement MUST BE NOTARIZED if the application is submitted by mail unless you are a law enforcement or local or state governmental agency.) | <input type="checkbox"/> I would like a Certified Informational Copy . This document will be printed with a legend on the face of the document that states, "INFORMATIONAL, NOT A VALID DOCUMENT TO ESTABLISH IDENTITY."

(A Sworn Statement does not need to be provided.) |
|---|--|

NOTE: Both documents are certified copies of the original document on file with our office. With the exception of the legend, the documents contain the exact same information.

To receive a **Certified Copy** I am:

- ☐ The registrant (person listed on the certificate) or a parent or legal guardian of the registrant.
- ☐ A party entitled to receive the record as a result of a court order, or an attorney or a licensed adoption agency seeking the birth record in order to comply with the requirements of Section 3140 or 7603 of the Family Code.
- ☐ A member of a law enforcement agency or a representative of another governmental agency, as provided by law, who is conducting official business. *(Companies representing a government agency must provide authorization from the government agency.)*
- ☐ A child, grandparent, grandchild, brother or sister, spouse, or domestic partner of the registrant.
- ☐ An attorney representing the registrant or the registrant's estate, or any person or agency empowered by statute or appointed by a court to act on behalf of the registrant or the registrant's estate. *(If you are requesting a Certified Copy under a power of attorney, please include a copy of the power of attorney with this application form.)*

APPLICANT INFORMATION (PLEASE PRINT OR TYPE)

Today's Date: _____

Agency Name (if appropriate)		Agency Case No. (if appropriate)		Purpose of Request	
Printed Name and Signature of Applicant			Number of Copies		Amount Enclosed
Mailing Address – Number, Street			Name of Person Receiving Copies, if Different From Applicant		
City	State / Province	ZIP Code	Mailing Address for Copies, If Different From Applicant		
Daytime Telephone (include area code) ()		Country	City	State	ZIP Code

BIRTH CERTIFICATE INFORMATION (PLEASE PRINT OR TYPE)**Adopted:** ☐ No ☐ Yes (If Yes, see #4 on Page 2)

LAST Name on Certificate (Birth Name if Married)		FIRST Name on Certificate		MIDDLE Name on Certificate	
City of Birth (must be in California)			County of Birth		
Date of Birth – MM/DD/CCYY (If unknown, enter approximate date of birth)			Sex <input type="checkbox"/> Female <input type="checkbox"/> Male		
LAST Name on Certificate – Father/Parent		FIRST Name on Certificate – Father/Parent		MIDDLE Name on Certificate – Father/Parent	
MAIDEN Name on Certificate – Mother/Parent		FIRST Name on Certificate – Mother/Parent		MIDDLE Name on Certificate – Mother/Parent	

INFORMATION: Birth records have been maintained in the Office of the State Registrar of Vital Records since July 1, 1905.

INSTRUCTIONS:

1. As of July 1, 2003, **ONLY** individuals who are authorized by Health and Safety Code Section 103526 can obtain a Certified Copy of a Birth Record to establish identity of the registrant (person listed on the certificate). (Page 1 identifies the individuals who are authorized to make the request.) All others may receive a Certified Informational Copy which will be marked, "Informational, Not a Valid Document to Establish Identity."

Confidential Information on Birth Record: Some individuals have special needs for a birth certificate that contains the confidential information provided at the time the birth record was prepared. This confidential information may be used to establish ethnicity, to provide health background, or for other personal reasons. For information on how to obtain a birth certificate containing the confidential information, please refer to the Birth Certificate section of our website: www.dhs.ca.gov (then select "Services"). Only specific individuals may obtain confidential copies.

2. Complete a separate application for each birth record requested.
3. Complete the **Applicant Information** section on Page 1 and provide your signature where indicated. In the **Birth Certificate Information** section, provide all the information you have available to identify the birth record. If the information you furnish is incomplete or inaccurate, we may not be able to locate the record.
4. **If the registrant has been adopted**, make the request in the **adopted** name. (If you're requesting a copy of the **original** birth certificate, you **must** provide a court order releasing the original sealed record.)
5. **SWORN STATEMENT:**
 - The authorized individual requesting the certified copy must sign the attached Sworn Statement, declaring under penalty of perjury that they are eligible to receive the certified copy of the birth record, and identify their relationship to the registrant – the relationship must be one of those identified on Page 1.
 - If the application is being submitted by mail, the Sworn Statement **must be** notarized by a Notary Public. (To find a Notary Public, see your local yellow pages or call your banking institution.) **Law enforcement and local and state governmental agencies are exempt from the notary requirement.**
 - You do not have to provide a Sworn Statement if you are requesting a Certified Informational Copy of the birth record.
6. Submit \$14 for **each** copy requested. If no birth record is found, the \$14 fee will be retained for searching the record (as required by law) and a Certificate of No Public Record will be issued to the applicant. Indicate the number of copies you want and include the correct fee(s) in the form of a personal check or postal or bank money order (International Money Order for out-of-country requests) made payable to the **Office of Vital Records**. Mail this application with the fee(s) to the Office of Vital Records at the address below.
7. **Returning Completed Certificates:** Completed certificates are returned using the U.S. Postal Service.

Office of Vital Records - MS 5103
P.O. Box 997410
Sacramento, CA 95899-7410
(916) 445-2684

BIRTH

Page 2 of 3

SWORN STATEMENT

I, _____, declare under penalty of perjury under the laws of the State of California,
(Applicant's Printed Name)

that I am an authorized person, as defined in California Health and Safety Code Section 103526 (c), and am eligible to receive a certified copy of the birth or death record of the following individual(s):

Name of Person Listed on Certificate	Applicant's Relationship to Person Listed on Certificate (Must Be a Relationship Listed on Page 1 of Application)

(The remaining information must be completed in the presence of a Notary Public or Office of Vital Records staff.)

Subscribed to this _____ day of _____, 20____, at _____, _____.
(Day) (Month) (City) (State)

(Applicant's Signature)

Note: If submitting your order by mail, you must have your Sworn Statement notarized using the Certificate of Acknowledgment below. The Certificate of Acknowledgment must be completed by a Notary Public. (Law enforcement and local and state governmental agencies are exempt from the notary requirement.)

CERTIFICATE OF ACKNOWLEDGMENT

State of _____)
) ss
County of _____)

On _____ before me, _____, personally appeared _____,
(insert name and title of the officer here)

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.
(NOTARY SEAL)

NOTARY SIGNATURE

APPLICATION TO AMEND A RECORD

USE BLACK INK

NO ERASURES, WHITEOUTS, OR ALTERATIONS

INSTRUCTIONS ON BACK

If an acceptable application to amend the record is registered within one year of the date of the event, there is no processing fee; however, a fee is required for each certified copy.

If an acceptable application to amend the record is registered one year or more after the date of the event, there is a fee for filing the affidavit, which includes one certified copy of the newly amended record.

There is a fee for each additional copy.

Enclosed is the fee of \$ 20.00 for filing the affidavit which includes one certified copy of the newly amended record.

Enclosed is the fee of \$ _____ for an additional certified copy(ies) of the newly amended record.

▶ **John Doe**

1234 Main Street

Printed Name of Applicant

Mailing Address of Applicant

Phone: **(916) 555-5555**

Sacramento, CA 95817

City

State

ZIP Code

AFFIDAVIT TO AMEND A RECORD

LEAVE BLANK

☒ BIRTH

☐ DEATH

☐ FETAL DEATH

LEAVE BLANK

STATE FILE NUMBER

NO ERASURES, WHITEOUTS, OR ALTERATIONS

LOCAL REGISTRATION DISTRICT AND CERTIFICATE NUMBER

PART I INFORMATION TO LOCATE RECORD—TYPE OR PRINT IN BLACK INK ONLY

NAME AS IT APPEARS ON RECORD	1A. NAME—FIRST (GIVEN)		1B. MIDDLE	1C. LAST (FAMILY)
	—		—	Doe
ADDITIONAL INFORMATION TO LOCATE RECORD	2. SEX	3. DATE OF EVENT—MONTH, DAY, YEAR	4A. CITY OF OCCURRENCE	4B. COUNTY OF OCCURRENCE
	Male	05/12/1977	Sacramento	Sacramento
5. FATHER'S NAME AS STATED ON ORIGINAL			6. MOTHER'S NAME AS STATED ON ORIGINAL	
John - Doe			Mary Jane Smith	

PART II STATEMENT OF CORRECTIONS—NO ERASURES, WHITEOUTS, OR ALTERATIONS

LIST ONE ITEM PER LINE	7. CERTIFICATE ITEM NUMBER	8A. INFORMATION AS IT APPEARS ON ORIGINAL RECORD	8B. INFORMATION AS IT SHOULD APPEAR
	1A.	—	John
	1B.	—	Michael
	1C.	LA	CA
REASON FOR CORRECTION	9. To add child's first and middle names and correct mother's state of birth to California.		
	AFFIDAVITS AND SIGNATURES: We, the undersigned, hereby certify under penalty of perjury that we have personal knowledge of the above facts and that the information given above is true and correct.		
TWO PERSONS MUST SIGN THIS FORM	10A. SIGNATURE OF FIRST PERSON		10B. TITLE/RELATIONSHIP TO PERSON IN PART I
	▶ <i>John Doe</i>		Father
USE BLACK INK ONLY	10D. AGE	10E. ADDRESS (STREET, CITY, STATE, ZIP)	10C. DATE SIGNED
	Legal	1234 Main Street Sacramento, CA 95817	01/05/2004
USE BLACK INK ONLY	11A. SIGNATURE OF SECOND PERSON		11B. TITLE/RELATIONSHIP TO PERSON IN PART I
	▶ <i>Mary Jane Smith Doe</i>		Mother
STATE/LOCAL REGISTRAR USE ONLY	11D. AGE	11E. ADDRESS (STREET, CITY, STATE, ZIP)	11C. DATE SIGNED
	Legal	1234 Main Street Sacramento, CA 95817	01/05/2004
12. SIGNATURE OF STATE OR LOCAL REGISTRAR		13. DATE ACCEPTED FOR REGISTRATION	
▶			